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COURT OF CRIMINAL APPEALS
AUSTIN, TEXAS
Transmitted 2/22/2018 5:05 PM
Accepted 2/23/2018 1:37 PM
DEANA WILLIAMSON

Damon Orlando Milton	§	In the Court of Criminal Appeals
Vs.	§ 8	COURT OF ĈŔIMINAL APPEALS 2/26/2018 DEANA WILLIAMSON, CLERK
v 5.	8 §	DEANA WILLIAMSON, CLERK
State of Texas	§	of Texas

Motion to Extend Time to File Petition for Discretionary Review

To The Honorable Judges of Said Court:

No.

Now comes Damon Orlando Milton, Appellant in the above styled and numbered cause, and moves for an extension of time of 29 days to file a petition for discretionary review, and for good cause shows the following:

- 1. On August 24, 2017, the First Court of Appeals affirmed appellant's conviction. *Milton v. State*, 2017 WL 3633570 (Tex. App.—Houston [1st Dist.] Aug. 24, 2017). The Court of Appeals number is 01-16-00434-CR. Appellant file a motion for rehearing and a motion for en ban reconsideration on September 25, 2017. On January 23, 2017, the panel denied Appellant's motion for rehearing; and the en banc court denied Appellant's motion for en banc reconsideration with Justice Jennings and Justice Bland issuing separate dissenting opinions.
- 2. The undersigned trial counsel will be filing a petition for discretionary review in this cause. However, I have not yet had time to complete and file the petition. I am requesting a 29 day extension, until March 23, 2018, to complete the petition. The purpose of this motion is not for delay, but to see that justice is done.

Wherefore, appellant respectfully requests an extension of 29 days, until Friday, March 23, 2018, to file a petition for discretionary review.

Respectfully submitted,

/s/ Celeste Blackburn

Celeste Blackburn Attorney at Law 333 N. Rivershire Dr., Suite 285 Conroe, Texas 77304 (936)703-5000 Fax (877)900-2822

Certificate of Service

I, Celeste Blackburn, certify that a true and correct copy of this motion was mailed to the Harris County District Attorney's Office, 1201 Franklin, Suite 600; Houston, Texas on the 22nd day of February, 2018.

/s/ Celeste Blackburn
Celeste Blackburn